

REMARKS

I. Introduction

Claims 59 to 61, 63 to 120, 123, and 124 are currently pending in the present application. In view of the following remarks, it is respectfully submitted that all of the presently pending claims are allowable, and reconsideration is respectfully requested.

II. Objection to the Specification

The Office Action objects to the Specification as assertedly failing to describe the feature that at least one communications server determines which one of said environments said authorization data indicates authority to access, as provided for in claims 59 and 124. Applicant respectfully disagrees.

In multiple locations, the Specification indicates that there are multiple gateways located in multiple environments. See Abstract; p. 3, ll. 4-6, and 14-15; and original claims 1 and 2.

The Specification further provides that the communications server connects to a predetermined one of the gateways. See Abstract; p. 3, ll. 4-6, and 14-15; and original claims 1 and 2. Thus, the Specification clearly indicates that a determination is made for selection of one of the gateway nodes. Indeed, the Specification further provides that a database 14 contains connection parameters in relation to the user premises. Specification, p. 8, ll. 11-12. Thus, the Specification indicates that the connection parameters depend on the particular premises with which the predetermined gateway is associated.

The Specification further provides that there is respective premises connection data for each user. Specification, p. 9, ll. 7-9. The Specification further provides that those records which are associated with the particular user to whom the login data corresponds are retrieved. Specification, p. 9, ll. 17-24. The Specification further provides that the establishment of the connection is based on such information and is with the user premises to which the retrieved records correspond. Specification, p. 9, ll. 28-29. Moreover, the Specification explicitly states that the connection profile of the particular retrieved records for the authenticated user includes the appropriate address of the relevant gateway for the relevant premises with which the user is associated. Specification, p. 12, ll. 20-21.

Thus, one of ordinary skill in the art would understand that the Specification provides for different records associated with different users, where the different records correspond to different premises having respective gateways, and further that, based on the login information, the appropriate records associated with the user with whom the login information is associated are retrieved for obtaining the particular address or other

identification means of the gateway of the premises corresponding to the user. Thus, the Specification clearly provides support for the feature that the communications server determines which environment the authorization data indicates authority to access, by retrieving the particular records corresponding to the user which are in turn associated with particular ones of multiple environments.

The Specification therefore provides support for the feature of claims 59 and 124 that at least one communications server determines which one of said environments said authorization data indicates authority to access.

Withdrawal of the objection to the Specification is therefore respectfully requested.

III. Rejection of Claims 59 to 61, 63 to 120, 123, and 124 Under 35 U.S.C. § 112

Claims 59 to 61, 63 to 120, 123, and 124 were rejected under 35 U.S.C. § 112, ¶ 1, as assertedly failing to comply with the written description requirement, essentially for the same reason upon which the objection to the Specification is based.

However, as explained above, the Specification clearly provides support for the feature that at least one communications server determines which one of said environments said authorization data indicates authority to access, as provided for in the context of claims 59 and 124. Accordingly, the claims comply with the written description requirement.

Withdrawal of this written description rejection of claims 59 to 61, 63 to 120, 123, and 124 is therefore respectfully requested.

IV. Rejection of Claims 59, 64 to 68, 76, 78 to 81, 88, 89, 91 to 94, 102, 104, 105, 109, 110, 112 to 114, 117, and 123 Under 35 U.S.C. § 103(a)

Claims 59, 64 to 68, 76, 78 to 81, 88, 89, 91 to 94, 102, 104, 105, 109, 110, 112 to 114, 117, and 123 were rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of U.S. Patent No. 6,271,752 (“the Vaio reference”), U.S. Patent No. 6,061,650 (“the Malkin reference”), and U.S. Patent No. 6,453,348 (“the Barnier reference”). The cited references do not render unpatentable any of the present claims, and the present rejection should be withdrawn, for at least the following reasons.

To reject a claim under 35 U.S.C. § 103(a), the Office bears the initial burden of presenting a *prima facie* case of obviousness. *In re Rijckaert*, 9 F.3d 1531, 1532, 28 U.S.P.Q.2d 1955, 1956 (Fed. Cir. 1993). To establish *prima facie* obviousness, three criteria must be satisfied.

First, there must be some suggestion or motivation to modify or combine reference teachings. *In re Fine*, 837 F.2d 1071, 5 U.S.P.Q.2d 1596 (Fed. Cir. 1988). This teaching or suggestion to make the claimed combination must be found in the prior art and not based on the application disclosure. *In re Vaeck*, 947 F.2d 488, 20 U.S.P.Q.2d 1438 (Fed. Cir. 1991). As clearly indicated by the Supreme Court, it is “important to identify a reason that would have prompted a person of ordinary skill in the relevant field to combine the [prior art] elements” in the manner claimed. *See KSR Int’l Co. v. Teleflex, Inc.*, 127 S. Ct. 1727 (2007). In this regard, the Supreme Court further noted that “rejections on obviousness cannot be sustained by mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness.” *Id.*, at 1741.

Second, there must be a reasonable expectation of success. *In re Merck & Co., Inc.*, 800 F.2d 1091, 231 U.S.P.Q. 375 (Fed. Cir. 1986).

Third, the prior art reference(s) must teach or suggest all of the claim features. *In re Royka*, 490 F.2d 981, 180 U.S.P.Q. 580 (C.C.P.A. 1974). As explained herein, the Office Action does satisfy these requirements as to all of the features of the claims.

Claim 59 relates to a system for remote access of environments and provides for at least one communications server located in an extranet and that, responsive to an accessing by an Internet browser of a predetermined address of the extranet, determines which one of the environments authorization data, provided in the accessing of the predetermined address, indicates authority to access, and creates a new communications session between the communications server and a connection gateway of the determined environment.

The Office Action admits that the Vaios reference does not disclose this feature, and instead refers to the Malkin reference as assertedly disclosing this feature. Specifically, the Office Action refers to the RAS 12 as assertedly disclosing the communications server of claim 59. However, the Malkin reference provides that TMS data 16 is used to select a gateway that is part of the same network as the RAS 12, contrary to claim 59, which provides that the communications server determines to which environment, including a gateway, to connect, where the environment is external to the extranet network of which the communications server is a part. That is, in contrast to claim 59, the Malkin reference does not provide for a communications server of one network to select a gateway of another network. Accordingly, even if the Vaios reference is modified to include features of the Malkin reference, the resulting system would still not disclose the features of claim 59.

Furthermore, claim 59 provides that the communications server is located in an extranet. The Office Action admits that the Vaois and Malkin reference do not refer to an extranet, and instead refers to the Barnier reference as assertedly disclosing an extranet. Specifically, the Office Action asserts that it would have been obvious to modify of the Vaois reference to provide a communications server in an extranet. However, one of ordinary skill in the art would not have further modified the system of the combination of the Vaois and Barnier references to further include the relied upon features of the Malkin reference. The Malkin reference refers to a system arranged to include an RAS 12, a TMS 16, and gateways 22, to provide for connection between a remote node 10 and a home network 18, via tunneling. Such an arrangement is not suitable for a system in which connection occurs through an extranet. Tunneling is used where, as in the Malkin reference, a remote node has a fixed private address that belongs to a home network, isolated from the Internet. In the Malkin reference, the RAS 12 creates a tunnel to gateway 22 that connects to CPE 24 of the home network 18. Once the tunnel is in place, the remote node 10 is able to communicate with all devices in the home network 18, as its IP address belongs to the IP subnet of the home network 18.

However, it is impossible to implement the service provider network as an extranet because it is not possible to use tunneling to redirect from a public address/URL (e.g., of an extranet which is implemented over the Internet) to a private address (e.g., of the home network 18). To understand this issue further, imagine that the Service Provider Network 14 provides access for multiple Remote Nodes 10 to their respective home networks 18, each of which utilize a RFC 1918 private address space. There would then be address conflicts, since the private addresses for each home network 18 would overlap/collide, and it would be thus impossible to route/redirect to a unique address within the respective home network 18 whereby a web page could be served back to the remote node.

Moreover, note that the primary benefit that the Malkin reference seeks to deliver is provision of a mechanism for connecting a remote node 10 to a home network 18, without a requirement for any special software to be loaded onto remote node 10. In order to create a network connection, the remote node 10 must first dial in to RAS 12. Since the goal of the Malkin reference is to make a network connection between remote node 10 and home network 18, this could not be implemented via a login URL on the Service Provider Network 14, not just for the reasons outlined above, but also because access of a login portal by remote node 10 cannot constitute a transparent network connection to the Home Network 18.

Thus, the arrangement of the Malkin reference is not suitable for implementation in a system in which a communications server is in an extranet. Accordingly, one of ordinary skill in the art would not have combined the Vaios, Malkin, and Barnier references as suggested by the Office Action.

For all of the foregoing reasons, the combination of the Vaios, Malkin, and Barnier references does not disclose or suggest all of the features of claim 59, so that the combination of the Vaios, Malkin, and Barnier references does not render unpatentable claim 59 or any of its dependent claims, e.g., claims 64 to 68, 76, 78 to 81, 88, 89, 91 to 94, 102, 104, 105, 109, 110, 112 to 114, 117, and 123.

Withdrawal of this obviousness rejection is therefore respectfully requested.

V. Rejections of Claims 60, 61, 63, 69 to 75, 77, 82 to 87, 90, 95 to 101, 103, 106 to 108, 111, 115, 116, 118 to 120 Under 35 U.S.C. § 103(a)

With respect to the rejections of claims 60, 61, 63, 69 to 75, 77, 82 to 87, 90, 95 to 101, 103, 106 to 108, 111, 115, 116, 118 to 120 under 35 U.S.C. § 103(a), as assertedly unpatentable over the combination of Vaios, Malkin, and Barnier references in further view of other references, the rejections should be withdrawn for at least the following reason.

Claims 60, 61, 63, 69 to 75, 77, 82 to 87, 90, 95 to 101, 103, 106 to 108, 111, 115, 116, 118 to 120 ultimately depend from claim 59 and are therefore allowable for at least the same reasons as claim 59, since the respective additional references relied upon for the rejections of those claims are not relied upon for correcting, and indeed do not correct, the critical deficiencies of the combination of the Vaios, Malkin, and Barnier references noted above in support of the patentability of claim 59.

Withdrawal of the obviousness rejections of claims 60, 61, 63, 69 to 75, 77, 82 to 87, 90, 95 to 101, 103, 106 to 108, 111, 115, 116, 118 to 120 is therefore respectfully requested.

VI. Rejection of Claim 124 Under 35 U.S.C. § 103(a)

Claim 124 was rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of the Vaios and Malkin references. The combination of the Vaios and Malkin references does not render unpatentable claim 124, and the present rejection should be withdrawn, for at least the following reasons.

Claim 124 relates to a system for remote access of environments, and provides for at least one communications server located in a network and that, responsive to an accessing by an Internet browser of a predetermined address of the network, determines which one of the environments authorization data, provided in the accessing of the

predetermined address, indicates authority to access, and creates a new communications session between the communications server and a connection gateway of the determined environment.

As explained above in support of the patentability of claim 59, the combination of the Vaois and Malkin references does not disclose or suggest this feature. Accordingly, the combination of the Vaois and Malkin references does not disclose or suggest all of the features of claim 124, and therefore does not render unpatentable claim 124.

Withdrawal of this obviousness rejection of claim 124 is therefore respectfully requested.

VII. Conclusion

In light of the foregoing, it is respectfully submitted that all of the presently pending claims are in condition for allowance. Prompt reconsideration and allowance of the present application are therefore earnestly solicited.

Respectfully submitted,
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